

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	Chapter 11
	)	
VIJAY K. TANEJA, <i>et al.</i> ,	)	Case No. 08-13293-SSM
	)	
Debtors.	)	Jointly Administered

**ORDER AUTHORIZING THE SALE OF 4614 HOLLY AVENUE, FAIRFAX, VIRGINIA  
FREE AND CLEAR OF LIENS AND OTHER INTERESTS**

THIS MATTER having come before this Court upon the Chapter 11 Trustee, H. Jason Gold's ("Trustee") Motion to Approve the Sale of 4614 Holly Avenue, Fairfax, Virginia ("Property") Free and Clear of All Liens and Other Interests ("Motion"); and upon consideration of all objections to the Motion and the proceedings before the Court on October 16, 2008; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefore,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Trustee is authorized to sell 4614 Holly Avenue, Fairfax, Virginia (Map # 056-3-02-0031) free and clear of liens and other interests to the fullest extent permitted under 11 U.S.C. § 363(f), for the sum of not less than \$375,000.00 ("Proceeds").
3. The Trustee is authorized to pay Long & Foster a commission of three percent (3%) of the Proceeds at closing.

4. The Trustee shall place 110% of the total amount of mechanic's liens filed as of the date of settlement in escrow ("Escrow") pending determination of the validity and priority of all mechanics liens against the Property; provided, however, that the Trustee need not escrow for sub-contractor's liens that are duplicative of liens filed by the general contractor. Funds placed in the Escrow shall not be paid until either (a) Virginia Commerce Bank consents to payment of a particular lien, or (b) this Court or another court of competent jurisdiction orders payment from the Escrow following a determination of the validity and priority of a particular lien.

5. The Trustee is authorized to pay the remaining Proceeds (following the payment of the commission, customary closing costs, and funding of the Escrow) to Virginia Commerce Bank in satisfaction of its lien against the Property.

6. The Court shall retain jurisdiction over all matters arising from or related to the interpretation or implementation of this Order.

7. Notwithstanding Rule 6004(g) of the Federal Rules of Bankruptcy Procedure, this Order shall be effective and enforceable immediately upon entry.

Dated: \_\_\_\_\_, 2008

\_\_\_\_\_  
Stephen S. Mitchell  
United States Bankruptcy Judge

PREPARED BY:

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By: /s/ Dylan G. Trache  
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Alexander M. Laughlin, Va. Bar No. 25237  
Dylan G. Trache, Va. Bar No. 45939

Counsel to the Chapter 11 Trustee

SEEN AND AGREED:

MILES & STOCKBRIDGE P.C.  
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By: /s/ Brian F. Kenney (by DGT w/permission)  
Brian F. Kenney, Va. Bar No. 23199

Counsel to Virginia Commerce Bank

CERTIFICATE PURSUANT TO LOCAL BANKRUPTCY RULE 9022-1(C)

I hereby certify that the foregoing Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache  
Dylan G. Trache

LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY  
PURSUANT TO LOCAL RULE 9022-1

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